

PRESIDENT: I proceed to give you my ruling on the point of order raised by Mr. Piraviperumal Pillai in respect of the Bill which Mr. Govinda Menon wanted to introduce. Mr. Piraviperumal Pillai objected to the motion on the ground that that particular business had not been included in the provisional list of business issued by the Secretary under Standing Order 3 (b). Against this point of view, it was contended that Standing Order 31 (1) permitted the member to introduce the Bill any time after it had been published in the *Gazette*. The Deputy President argued the position with his customary ability and lucidity. He maintained that Standing Order 31 (1) did not over-ride or detract from Standing Order 3 (b), in that permission to exercise the privilege by the non-official member under the latter Standing Order, *i. e.*, 31 (1), is subject to the general rules for the conduct of the business sought to be admitted into the Council as laid down by Standing Order 3 (b). I would not have taken so much time to consider the matter carefully had it not been that both the member who raised the point of order and the Deputy President took their stand on the privileges of this House. Naturally, to all non-official members, no less than to the Government benches, it is a solemn duty to see that nothing is done to the detriment of the rights and privileges of this House. That is a much more important consideration than the particular day on which a particular Bill should be moved. I should have liked a little longer time to consider the matter and search for precedents; but at the same time I feel that it is necessary to give a ruling now as otherwise the occasion for the ruling will disappear with the end of this particular Session.

Mr. Piraviperumal Pillai quoted as a precedent a case that recently occurred in the Legislative Assembly of the Government of India when in connection with the Public Safety (Removal from India) Bill, an Honourable member of that Assembly raised a point of order that the motion for the Bill could not be made because copies of the Bill had not been previously circulated amongst the members. There is no real parallel between that case where the President ruled that the Bill could not be moved, and the present case, because in the case of the Assembly ruling quoted, Standing Order 38 there relied on lays down that no motion shall be made until after the copies of the Bill have been made available by circulation and that any objection raised to it shall prevail.

There is no such provision in the Standing Order now in question, because it does not say that if a business has not been included in the provisional list of business that business shall not be moved. At the same time, as I said, the privileges of this House should be maintained at all costs, without let or hindrance, and in order to ensure that position, I must rule now that Mr. Govinda Menon's motion is inadmissible. In giving this decision, which I might observe is provisional until the position can be further examined and clarified, I trust Mr. Govinda Menon and his many supporters here will not think that his Bill may be prejudiced to any material extent. I know that it is so important a measure that it cannot be debated upon and settled within the short time that now remains before the Session terminates. It merely means the postponement of the Bill until the next Session.

MR. R. RAMAN PILLAI (*Kottayam*): Sir, before the further business of the Council is taken up, with the permission of the Chair, I wish to make a request. I chose Malayalam as my language, for I thought I would not otherwise be able to do full justice to the work I am to do in the Council. In the month of Vrischikam when I stood up to move a resolution I read it as it was printed on the agenda paper. I had never thought that the Chair would rule that, I am able to speak English by my reading the resolution as printed on the agenda paper. The concession granted to me to speak in Malayalam was withdrawn and it was ruled that I should speak in English in future. From that time I have been unable to do full justice to the work I am to do in the Council. So, I would request the President to be so good as to cancel that decision.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I entirely dissent from Mr. Raman Pillai's observation that he has not been able to do justice to his cause. I think the House is benefited by his speeches and he has been advocating his cause with very great ability. It seems to me that he speaks in English much better than many other speakers.

MR. R. RAMAN PILLAI (*Kottayam*): I say that I am unable to express all my ideas in English and it is I who should say whether I am able to express my ideas or not. (*Laughter*). Somehow or other I expressed some un-English or butler's English and that will not be enough for the Council. So I request the President to cancel the decision he has already made.

PRESIDENT: Mr. Raman Pillai, like the Law Member, I too was under the impression that you left the hearers in no doubt whatsoever as to your meaning when you spoke. At the same time I realise perfectly well that the comfort of an individual depends on himself, the comfort of the foot depends on the shoe it wears. If you find it more comfortable to talk in Malayalam than in English, by all means you can do so and since I have learnt more Malayalam than I knew when I ruled on the last occasion when I wished you to speak in English, I have great pleasure in cancelling that order.

The next resolution stands in the name of Mr. Tariatu Kunjitomman and it runs thus:—

LAND MORTGAGE BANK.

"This Council recommends to the Government that a Land Mortgage Bank be started immediately by them for the use of the Agriculturists."

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): കൂലിക്കാരുടെ ഉപയോഗത്തിനായി കച്ചവടാലയങ്ങളെ ഒരു ഭൂസ്വത്തു ജാമ്യബാങ്കു എന്ന പേരിൽ ഉണ്ടാക്കേണ്ടതും ഈ യോഗം ഗവണ്മെന്റിനോടു ശുപാർശ ചെയ്യുന്നു. ഇതാണ് ഞാൻ അവതരിപ്പിക്കുന്ന പ്രമേയം.

MR. R. VAIDYALINGOM PILLAI (*Registrar of Co-operative Societies*): അജൻറാ വേപ്പറിൽ അങ്ങിനെ ആണോ ഏഴുതിയിരിക്കുന്നത്?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ഗവണ്മെന്റിനോട് ഞാൻ ഏഴുതി അയച്ചിട്ടുള്ളതു്. അതിൽ ഉടൻടി എന്നതും സിദ്ധിക്കുകയില്ല.